

### 13. Classifications of Traffic

- 13.1. Intercarrier traffic includes Section 251(b)(5) Traffic, ISP-Bound Traffic, transited traffic, intraLATA toll, mandatory EAS, optional Extended Area Service (EAS) and Metropolitan Calling Area (MCA) traffic. The terms "transited traffic," "intraLATA toll," "mandatory EAS" "optional EAS traffic" and "Metropolitan Calling Area" will have the meaning ascribed to them in the underlying ICAs and future interconnection agreements. "Section 251(b)(5) Traffic" shall mean the traffic lawfully compensable under Section 251(b)(5) of the Act as of the Effective Date of this Amendment. "ISP-Bound Traffic" shall mean any ISP traffic that as of the Effective Date of this Amendment is lawfully compensable under the FCC's Order on Remand Report and Order, In the Matter of Implementation of the Local Compensation Provisions in the Telecommunications Act of 1996, Intercarrier Compensation for ISP-Bound Traffic, FCC 01-131, CC Docket Nos. 96-98, 99-68 (released April 27, 2001). For purposes of this Section 13, intercarrier traffic includes all intercarrier traffic exchanged pursuant to the ICAs, and both the Local Wholesale Complete agreement between the Parties and 271 Local Switching agreement between the Parties (except for SBC Connecticut) (both effective March 11, 2005).

The rates, terms and conditions for ISP-Bound Traffic are set forth in Section 14 of this Amendment.

- 13.2. If CLEC designates different points for rating and routing such that traffic that originates in one rate center is carried by ILEC to a routing point designated by CLEC in a rate center that is not local to the calling party even though the called NXX is local to the calling party, such traffic, referred to as Virtual Foreign Exchange (Virtual FX) traffic, shall be rated in reference to the rate centers associated with the NXX prefixes of the calling and called parties' numbers, and treated as Local traffic for purposes of compensation provided however, that such end users must both be located within the same LATA. Anything to the contrary in this Section 13.2 notwithstanding, if a legally effective decision of the Public Utility Commission of Texas in *Docket No. 28821* entitles ILEC to charge CLEC intrastate switched access charges for Virtual FX traffic terminated by ILEC, ILEC shall be permitted to do so without affecting ILEC'S obligation to pay reciprocal compensation for Virtual FX traffic ILEC terminates to CLEC in Texas.
- 13.3. InterLATA toll and IXC carried intraLATA toll are subject to Meet Point Billing as outlined in the ICA or interconnection agreement and applicable tariffs.